UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,112	01/03/2001	Toufic Boubez	RSW920000102US1 (IBM 17)	7400

77242 7590 02/03/2011
IBM Raleigh S/W Group
c/o Patent Law of Virginia, PLLC
PO Box 9319
Richmond, VA 23227

EXAMINER
HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
02/03/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

brian@patentlawva.com
bjteague@verizon.net
brian.teague@alum.wpi.edu

<table>
<tr>
<td rowspan="2">Office Action Summary</td>
<td>Application No.
09/758,112</td>
<td>Applicant(s)
BOUBEZ ET AL.</td>
<td></td>
</tr>
<tr>
<td>Examiner
Lalita M. Hamilton</td>
<td>Art Unit
3691</td>
<td></td>
</tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2010*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4, 6-14, 16-24, 26-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6-14, 16-24, and 26-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This action is in response to the amendment filed on November 18, 2010.

Rule 1.131 Affidavit

The Examiner has reviewed the affidavits submitted on April 4, 2005. The

Examiner has withdrawn the rejection, since the affidavit pre-dates the Cohn reference,

set forth in the previous Office Action. The Examiner has incorporated the Yun

reference (effective filing date April 7, 1999).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-14, 16-24, and 26-30 are rejected under 35 U.S.C. 102(e) as being

anticipated by Yun (7,584,120).

Yun discloses a system and corresponding method and apparatus for

categorizing data comprising in a data processing system, of registering

services in a taxonomy, comprising: receiving a registration request at the data

processing system, the registration request including a service description and an

identification of a category within the taxonomy in which the service is to be registered,

determining if the service description should be registered in the identified category

based on a canonical service description associated with the category; and

registering the service description in the identified category using the data processing

system if the determination is that the service description should be registered in the

identified category and if it is determined that the service description should not be

registered in the category, determining whether a request to add a new category is

received (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the

canonical service description identifies minimum criteria for the category (col.4, line 65

to col.5, line 11; col.6, line 1 to col.9, line 30); wherein registering the service description

in the category includes storing the service description and an associated model

description in a storage in association with the category (col.4, line 65 to col.5, line 11;

col.6, line 1 to col.9, line 30); wherein the method is implemented in a service broker

within at least one network (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30);

wherein if a request to add a new category is received, a determination is made as to

whether to add the new category, and wherein if the new category is added, the service

description is registered in association with the new category (col.4, line 65 to col.5, line

11; col.6, line 1 to col.9, line 30); wherein the canonical service description includes

information identifying minimum requirements of the category regarding one or more of

security requirements, privacy requirements and communication protocol requirements

(col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein if it is determined

that the service description should not be registered in the category, the method further

comprises: searching the taxonomy for an alternate category in which the service

description should be registered and registering the service description in the alternate

category (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein searching the taxonomy for an alternate category includes searching one or more of sibling, parent and child categories of the identified category within a predetermined range of the identified category in the taxonomy (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein searching the taxonomy for an alternate category includes searching the taxonomy for a category in which the service description meets requirements of a canonical service description associated with the alternate category (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); a computer program product in a computer readable medium for registering services in a taxonomy, comprising: first instructions for receiving a registration request, the registration request including a service description and an identification of a category within the taxonomy in which the service is to be registered; second instructions for determining if the service description should be registered in the identified category based on a canonical service description associated with the category, third instructions for registering the service description in the identified category if the determination is that the service description should be registered in the identified category, fourth instructions for determining whether a request to add a new category is received if it is determined that the service description should not be registered in the category (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the third instructions for registering the service description in the category includes instructions for storing the service description and an associated model description in a storage in association with the category (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the computer program product is

executed in a service broker within at least one network (col.4, line 65 to col.5, line 11;

col.6, line 1 to col.9, line 30); fifth instructions for determining whether to add the new

category, if a request to add a new category is received, and sixth instructions for

registering the service description in association with the new category, if the new

category is added (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein

the canonical service description includes information identifying minimum requirements

of the category regarding one or more of security requirements, privacy requirements

and communication protocol requirements (col.4, line 65 to col.5, line 11; col.6, line 1 to

col.9, line 30); instructions for searching the taxonomy for an alternate category in which

the service description should be registered if the result of execution of the second

instructions is that the service description should not be registered in the category and

fifth instructions for registering the service description in the alternate category if an

alternate category is identified by execution of the fourth instructions (col.4, line 65 to

col.5, line 11; col.6, line 1 to col.9, line 30); wherein the fourth instructions for searching

the taxonomy for an alternate category includes instructions for searching one or more

of sibling, parent and child categories of the identified category within a predetermined

range of the identified category in the taxonomy (col.4, line 65 to col.5, line 11; col.6,

line 1 to col.9, line 30); wherein the fourth instructions for searching the taxonomy for an

alternate category includes instructions for searching the taxonomy for a category in

which the service description meets requirements of a canonical service description

associated with the alternate category (col.4, line 65 to col.5, line 11; col.6, line 1 to

col.9, line 30); apparatus for registering services in a taxonomy, comprising: means for

receiving a registration request, the registration request including a service description

and an identification of a category within the taxonomy in which the service is to be

registered, means for determining if the service description should be registered in the

identified category based on a canonical service description associated with the

category, means for registering the service description in the identified category if the

determination is that the service description should be registered in the identified

category, and means for determining whether a request to add a new category is

received if it is determined that the service description should not be registered in the

new category (col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the

canonical service description identifies minimum criteria for the category (col.4, line 65

to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the means for registering the

service description in the category includes means for storing the service description

and an associated model description in a storage in association with the category (col.4,

line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the apparatus is part of a

service broker within at least one network (col.4, line 65 to col.5, line 11; col.6, line 1 to

col.9, line 30); means for determining whether to add the new category, if a request to

add a new category is received, and means for registering the service description in

association with the new category, if the new category is added (col.4, line 65 to col.5,

line 11; col.6, line 1 to col.9, line 30); wherein the canonical service description includes

information identifying minimum requirements of the category regarding one or more of

security requirements, privacy requirements and communication protocol requirements

(col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); means for searching the

taxonomy for an alternate category in which the service description should be registered

if the means for determining indicates that the service description should not be

registered in the category; and means for registering the service description in the

alternate category if an alternate category is identified by the means for searching

(col.4, line 65 to col.5, line 11; col.6, line 1 to col.9, line 30); wherein the means for

searching the taxonomy for an alternate category includes means for searching one or

more of sibling, parent and child categories of the identified category within a

predetermined range of the identified category in the taxonomy (col.4, line 65 to col.5,

line 11; col.6, line 1 to col.9, line 30); and wherein the means for searching the

taxonomy for an alternate category includes means for searching the taxonomy for a

category in which the service description meets requirements of a canonical service

description associated with the alternate category (col.4, line 65 to col.5, line 11; col.6,

line 1 to col.9, line 30).

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6-14, 16-24, and 26-30 have

been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lalita M. Hamilton whose telephone number is (571)

272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lalita M Hamilton/
Primary Examiner, Art Unit 3691